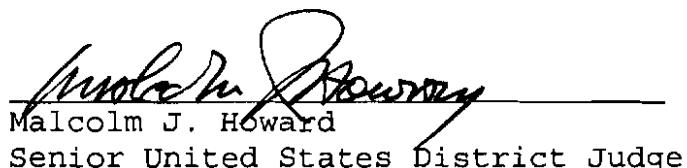


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:04-CR-56-1H
No. 4:07-CV-185-H

SCOTTIE WHITAKER,)
Petitioner,)
v.) **ORDER**
UNITED STATES OF AMERICA,)
Respondent.)

On November 18, 2010, an order was entered granting the government's motion to dismiss petitioner's motion to vacate his sentence brought pursuant to 28 U.S.C. § 2255. On November 29, 2010, this court entered an order denying a motion for certificate of appealability. Currently before the court is petitioner's motion for a certificate of appealability filed January 25, 2011. Having reviewed petitioner's motion, the court finds no reason to alter its prior order, and the motion for certificate of appealability [DE #160] is DENIED.

This 5th day of April 2011.


Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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